



Town of Arlington, Massachusetts
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Minutes 02/28/2011

TOWN OF ARLINGTON
BOARD OF SELECTMEN
Meeting Minutes
Monday, February 28, 2011
7:15 p.m.

Addendum

Present: Mrs. Mahon, Chair, Ms. LaCourt, Vice Chair, Mr. Hurd and Ms. Rowe
 Also Present: Mr. Sullivan, Ms. Rice and Mrs. Krepelka
 Absent: Mr. Greeley

1. Vote: MWRA Sewer Bond
 Stephen Gilligan, Treasurer & Collector of Taxes

The Board of Selectmen at their meeting on Monday, February 28, 2011 unanimously passed the following:

VOTED: THAT THE SALE OF THE \$154,000 Sewer Bond of the Town dated March 14, 2011, to the Massachusetts Water Resources Authority (the "Authority"), as recommended by the Town Treasurer, is hereby approved and the Town Manager is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the bond. The bond shall be payable without interest on February 15 of the years and in the principal amounts as follows:

Year	Installment
2012	\$30,800.
2013	30,800.
2014	30,800.
2015	30,800.
2016	30,800.

Mr. Hurd moved approval.

SO VOTED (4-0)

A true record: Attest

Marie A. Krepelka
 Board Administrator
 Next meeting of BOS March 14, 2011

BOARD OF SELECTMEN
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7:15 p.m.

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 Also present: Mr. Sullivan, Ms. Rice and Mrs. Krepelka
 Absent: Mr. Greeley

Mr. Sullivan asked the Selectmen to recognize the accomplishments and work ethic of Joe Miksis. Joe has been a Town employee with the IT Department for the past twenty-seven years and his dedication and commitment to the Town was exemplified this past week. On President's Day we witnessed a truly dedicated and unselfish individual who puts his Town first and himself second.

The Board thanked Joe for all he does for the Town and School Departments.

FOR APPROVAL

1. CONSENT AGENDA (one vote required for approval of all items)
 - a. Minutes of Meetings: February 7, 2011
 - b. Request: Farmers' Market 2011
 Patsy Kraemer, Market Manager
 Ms. Rowe moved approval. SO VOTED (4-0)

APPOINTMENTS

2. Appointment: Arlington Bicycle Advisory Committee, Executive Board
 Douglas Greenfield
 (term to expire 02/28/2014)
 Mr. Hurd moved approval. SO VOTED (4-0)

LICENSES & PERMITS

7:15 p.m. Public Hearing

3. Request: All Alcohol Restaurant License and Common Victualler
 Mint 76, Inc., (Mehran Khosrowdad) d/b/a Sabzi, 352A Massachusetts Avenue
 Ms. Rowe moved approval subject to conditions as set forth. SO VOTED (4-0)
4. Vietnam Veterans Memorial Moving Wall
 Robert Bowes
 Mr. Hurd and Mr. Sullivan announced that the Vietnam Veterans Memorial Moving Wall is coming to Town over Patriots' Day Weekend (April 13 - 18). The Moving Wall is a half-size replica of the Washington, DC Vietnam Veterans Memorial. The Wall honors those who made the ultimate sacrifice and those Vietnam Veterans who are here with us today. If anyone wishes to make a tax-deductible donation, you may do so through the Town Website. The Board asked that they be given updates as the planning moves ahead.

5. CITIZENS OPEN FORUM

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established.

Charles Maher, 157 Medford Street, appeared before the Board regarding his ex-wife's marriage certificate. Ms. LaCourt advised Mr. Maher that he needs to seek legal counsel from his own attorney.

Andrew Fischer, 25 Lombard Road, apologized for not attending the hearings on the issuing of licenses for all alcohol package stores. He did ask if Town Counsel could look into changing the policy for the next Licenses to include no selling of nips. Attorney Rice stated she would inquire of the ABCC in regards to the selling of nips

before renewals are issued for next year.

TRAFFIC RULES & ORDERS/OTHER BUSINESS

6. Vote: Special Municipal Employee/Retirement Board
Richard Greco, Retirement Board Administrator
Ms. Rowe moved approval.

SO VOTED (4-0)

7. Vote: Special Town Meeting, 5/09/11
Diane M. Mahon, Chair
Ms. Rowe moved approval.

SO VOTED (4-0)

8. Opening of Special Town Meeting Warrant
Juliana Rice, Town Counsel

The Board voted to open the Warrant for the Special Town Meeting on Tuesday, March 08, 2011, at 8:00 a.m. until 4:00 p.m. The primary purpose of the meeting is for the appropriation of necessary funds for school renovations projects (Thompson and Stratton).

Ms. Rowe moved approval.

SO VOTED (4-0)

9. Update on Graffiti
Robert Radochia

The Board thanked Mr. Radochia for his report and photos regarding graffiti throughout the Town. Ms. LaCourt asked Mr. Radochia to send a copy of his report to the Police Department.

10. Letter of Support: MAPC Visioning
Brian F. Sullivan, Manager

Mr. Sullivan asked that the MAPC favorably consider Arlington's request for assistance to conduct community visioning in advance of master planning.

Ms. Rowe moved approval.

SO VOTED (4-0)

11. Discussion: Future BoS Meetings

Ms. Rowe moved to table until the April 4th meeting.

SO VOTED (4-0)

12. WARRANT ARTICLE HEARINGS

- Article 19 Bylaw Amendment/Increase Fines for Unleashed Dogs (formerly Article 18)
(tabled from 2/7/11 meeting)

Ms. Christina Chalapatias, 172 Overlook Road, presented the Article and asked the Board to consider increasing the fines for off-leash dog violations.

Mr. Hurd and Ms. LaCourt felt that the proposed fees would give the Animal Control Officer something to work with.

Mrs. Mahon stated the Board would be amenable to adjust fees if the proponents came before Town Meeting with a substitute motion.

Ms. LaCourt moved favorable action.

SO VOTED (4-0)

- Article 20 Bylaw Amendment/Use of Minuteman Bikeway (formerly Article 19)
(tabled from 2/7/11 meeting)

The Board feels they cannot support this article to extend the present hours beyond 9:00 p.m. because the Town does not have sufficient officers to patrol the bike path. Without extra police patrol, the Board expressed concern for the safety of people.

Ms. Rowe moved no action.

SO VOTED (4-0)

- Article 21 Bylaw Amendment/Closing of Warrant

Ms. LaCourt and Mr. Hurd moved no action.

SO VOTED (2-2)*

*The motion was defeated and no recommendation was made.

- Article 22 Bylaw Amendment/Town Meeting Standing Votes

Mr. Hurd moved approval.

SO VOTED (4-0)

Article 24 Bylaw Amendment/Massachusetts Public Records Law

Mr. Loreti suggested that the Town raises the costs of public records if it doesn't want the information being requested to be released. Mr. Loreti referenced a request in which he said he was told he would have to pay \$1000 to \$1500 for e-mails related to a particular business property. Mr. Sullivan stated that Mr. Loreti's statement is a complete fabrication.

Ms. LaCourt moved no action.

SO VOTED (4-0)

Article 25 Bylaw Amendment/Solicitation & Receipt of Gifts

Mr. Loreti stated that a Town employee received free advice from a local attorney that he was doing business with and he feels their actions were inappropriate. Mr. Loreti stated he did not feel the employee acted unethically, but was manipulated by officials of higher authority into believing his interactions with the attorney were acceptable. Ms. LaCourt told Mr. Loreti that if he feels that strongly, he could file a complaint with the Ethics Commission. Mr. Sullivan stated that Mr. Loreti's statements are outrageous and unfounded allegations.

Ms. LaCourt moved no action.

SO VOTED (4-0)

Article 26 Bylaw Amendment/Spy Pond Motor

The following residents appeared before the Board opposing the Article:

Betsy Leondar-Wright, 21 Belknap Street, appeared before the Board and stated that although she supports the crew team, the 10 miles per hour limit is difficult to enforce and that a no-wake zone would be a better method of discouraging irresponsible boating.

Kelly Sullivan, 23 Belknap Street

Karen Grossman, 32 Hamilton Road

Keith Pearson, 16 Linwood Street, feels unsafe in her kayak, canoe and sailboat and the motorboats that are allowed on the Pond.

Neil Tracy, 25 Marion Road

The following residents, parent and crew team members, appeared before the Board asking the Board not to support this article:

Margaret Moore de Chicojay, 369 Park Avenue. Arlington-Belmont Crew Board Director

Elizabeth Diggins, 208 Renfrew Street

Jackson Miller, 25 Dartmouth Street, Crew Team Member

Ann Elise Routenburg, Buena Vista Road, Crew Team Member

Helena Awad, 5 Magnolia Street, Crew Team Member

Bill Eykamp, 246 Pleasant Street, member of Vision 2020

Brad Barber, 74 Spy Pond Parkway

The crew team members stated that their boats rarely reach speeds higher than six miles per hour and they never exceed the 10 mile per hour limit.

The parents and members of the Arlington- Belmont Crew Team stated that the restrictions would be detrimental to their practices on Spy Pond and could possibly end the program. They feel the existing bylaws are adequate to control the speed and noise on the pond.

Ms. LaCourt and the Board asked that the crew team, the Spy Pond neighbors and the Boys & Girls Club have a conversation and reach an agreement before Town Meeting starts.

Ms. Rowe moved no action

SO VOTED (4-0)

Article 27 Vote/Spy Pond Motorboat Regulations Signs

Elizabeth Karpati, 49 Colonial Drive, asked that corrections be made on two signs that are at the entrance of the boat ramp.

Mr. Sullivan agreed to oversee the posting of new signage and update the current signs around the pond.

Mr. Hurd moved no action.

SO VOTED (4-0)

13. FINAL VOTES AND COMMENTS

Article 2 State of the Town Address

Article 3 Reports of Committees

Article 4 Appointment of Measurers of Wood and Bark

Article 5 Election of Assistant Town Moderator

Article 18 Bylaw Amendment/Portable Storage Containers (formerly Article 16)

Article 23 Bylaw Amendment/Sidewalk Snow Removal Enforcement (formerly Article 17
Ms. Rowe moved approval. SO VOTED (4-0)

Correspondence Received

Sharon Shaloo, Clerk Scenic Byway/Tourism/ Economic Development Committee	Committee Name Shortening	Be Rec'd
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Frank Foss, Senior Manager Comcast	Price Adjustments	Be Rec'd
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Matilda Kallas 5 Venner Road	Heavy Trucks on Pleasant Street	Be Rec'd
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Ms. Rowe moved to send Ms. Kallas' letter to the Police Dept. for review and recommendations.
Ms. Rowe moved receipt of correspondence. SO VOTED (4-0)

New Business:

Mr. Sullivan gave each Board member a report from the Massachusetts Taxpayers Foundation titled "Massachusetts Municipalities Face Staggering Retiree Health Care Liabilities".

Mr. Hurd thanked Town Counsel Rice and Board of Selectmen Staff for their excellent work in preparing the Warrant Articles reference material.

Mrs. Mahon thanked Bernard Smith, a member of the Cemetery Commission, for his 10 years of service.
Mrs. Mahon stated she signed a letter on February 23rd from Supt. Bodie, Supt. of Schools, that was being sent to the Massachusetts School Building Authority regarding the design enrollment certification for the Thompson Elementary School Project.
Mrs. Mahon stated she would like to remind everyone that the Board of Selectmen will be holding a public forum to be held at the Town Hall Auditorium, Thursday, March 3rd at 7:00 p.m. at which the Town Manager will present an overview of the Town's finances, the FY2012 Town Budget and its impacts on Town services.

Mr. Hurd moved to adjourn at 10:20 p.m.

A true record: Attest

Marie A. Krepelka
Board Administrator
Next meeting of BoS March 14, 2011.